SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>COMMUNICATION SYSTEM WITH MULTICARRIER TELEPHONY TRANSPORT</u>.

The specification of which was filed on June 28, 1996 as application serial no. 08/673,002 and was amended on September 24, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 10 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, \$119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such applications have been filed.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

No such applications have been filed.

M

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as idefined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number	Filing Date	Status
08/311,964	September 26, 1994	Allowed
08/457.317	June 1, 1995	Pending
08/457,295	June 1, 1995	Pending
08/650,408	May 20, 1996	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael Bianchi, Timothy E. Billig, Patrick G. Billion, Richard E. Brennan, Thomas F. Burke, John E. Clark, Barbara J.	Reg. No. 24,916 Reg. No. 39,610 Reg. No. 38,080 Reg. No. 32,836 Reg. No. 35,075 Reg. No. 35,836 Reg. No. 38,107	Embretson, Janet E. Forg, David N. Forrest, Bradley A. Holloway, Sheryl S. Kalinowski, Leonard J. Klima-Silberg, Catherine I. Kluth, Daniel J.	Reg. No. 39,665 Reg. No. 35,138 Reg. No. 30,837 Reg. No. 37,850 Reg. No. 24,207 Reg. No. 40,052 Reg. No. 32,146	Lempia, Bryan J. Litman, Mark A. Lundberg, Steven W. Schwegman, Micheal L. Slifer, Russell D. Viksnins, Ann S. Woessner, Warren D.	Reg. No. 39,746 Reg. No. 26,390 Reg. No. 30,568 Reg. No. 25,816 Reg. No. 39,838 Reg. No. 37,748 Reg. No. 30,440
Dryia, Michael A.	Reg No. 39,662	Lemaire, Charles A	Reg. No. 36,198		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below: P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)339-0331

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Full Name of joint inventor num Citizenship: Pest Office Address:		Residence: Fairfield, OH
Signature:	nce J. Hill	Date:
Full Name of joint inventor num Citizenship: Post Office Address:	ber 4: Harold A. Roberts United States of America 7017 Beacon Circle Eden Prairie, MN 55346	Residence: Eden Prairie, MN
Signature: Harol	d A. Roberts	Date:

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Stenature:	cffrey Brede	Date:	•
Eull Name of joint inventor (Citizenship:	United States of America	Residence: Eden Prairie, MN	
		wife Hill Dr.	
Signature: Mark		birtes Hill Dr. Tx 75024 Date: 1/30/97	
Post Office Address: Signature: Name of joint inventor of the control of the co	Siden Prairie, MN 55347 Plane, Mark S. Wadman	אבפצו אד אר אין	

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Full Name of joint inver Citizenship: Post Office Address:	United States of America 11430 - 50th Place North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:		Date:	
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Signature:	Jeffrey Brede	Date:	
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Signature:	Mark S. Wadman	Datt.	
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	Michael J. Fort		
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11 10 10 10 10 10 10 10 10 10 10 10 10 1	Minnetonka, MN 55305		
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Signature:	·	Date:	
	Jeff Solum		
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X Additional inventors as	re being named on separately numbered shee	ts, attached hereto.	

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Signature:		Date:	
	Thomas C. Tucker		M
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X Additional inventors are	being named on separately numbered she	ets, attached hereto.	

Full Name of joint inve Citizenship: Post Office Address:	united States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
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Signature:		Date:	
mark finds and finds of 1 th and the second of the and the second of the second of the and the second of the second of the second of the and the second of t	John M. Logajan		
Full Name of joint inves	ntor number 19: Somvay Boualouans		-
Citizenship: Post Office Address:	United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
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agent one	Somvay Boualouang	Date.	
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Citizenship: Post Office Address:	United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	·
Signature:		Date:	
	Heng Lou		

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Citizenship: United States of America Residence: Elk River, MN

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	Elk River, MN 55330		
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200 200	Bloomington, MN 55435		
Signature:		Date:	
	Matt Downs		
Specific Code			-
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केर केंद्र	Bloomington, MN 55435		
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Signature:		Date:	
100 mg	Tammy Ferris		
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Full Name of joint inver	ntor number 24 : Adam Opoczynski		
Citizenship:	United States of America	Residence: Plano, TX	
Post Office Address:	3705 Roxbury Lane		
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Signature:		Date:	
	Adam Opoczynski		

Full Name of joint inver Citizenship: Post Office Address:	ntor number 25: David S. Russell United States of America 5145 Luverne Avenue Minneapolis, MN 55419	Residence: Minneapolis, MN	
Signature:	David S. Russell	Date:	
Citizenship: Post Office Address:	ntor number 26: Calvin G. Nelson United States of America 26190 Birch Bluff Road Shorewood, MN 55331	Residence: Shorewood, MIN	
Signature:	Calvin G. Nelson	Date:	
Full Name of joint invertigenship: Post Office Address:	ntor number 27: Niranjan R. Samant United States of America 229 Ridgefield Drive Middletown, CT 06547	Residence: Middletown, CT Date:	
Signature:	Niranjan R. Samant	Date.	
	untor number 28: Joseph F. Chiappetta United States of America 6 Ranch Drive Trumbull, CT 06611	Residence: Trumbull, CT	
Signature:		Date:	
	Joseph F. Chiappetta		
X Additional inventors	are being named on separately numbered shee	ets, attached hereto.	

Full Name of joint inven Citizenship: Post Office Address:	tor number 29: Scott Saraikowski United States of America 13235 57th Avenue North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Scott Sarnikowski	Date:	
Full Name of inventor: Critizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	_
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:	· •	Residence:	-
Signature:	5	Date:	

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§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

Aprima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

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I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

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Citizenship: Post Office Address:	or number 1: Mark J. Dapper United States of America 6558 Baywood Lane Cincinnati, OH 45224	Residence: Cincinnati, OH	
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julia Signature:	Fairfield, OH 45014 Terrance J. Hill	Date: Residence: Eden Prairie, MN	
Signature: Full Name of joint inventor Citizenship:	Fairfield, OH 45014 Terrance J. Hill or number 4: Harold A. Roberts United States of America 7017 Beacon Circle		

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** * * * * * * * * * * * * * * * * * * *			
Additional inventors a	re being named on separately numbered she	eets, attached hereto.	

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Signature:	Thomas Smigelski	Date:	
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Signature:	Hom C. Tuke	Date:	

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Signature:		Date:	
	Tammy Ferris		
7000 T			
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Post Office Address:	3705 Roxbury Lane	restrette. Findu, LA	
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Signature:		Date:	
	Adam Opoczynski		
X Additional inventors ar	re being named on separately numbered she	ets, attached hereto.	

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Signature:	David S. Russell	Date:	
Citizenship: Post Office Address:	ntor number 26: <u>Calvin G. Nelson</u> United States of America 26190 Birch Bluff Road Shorewood, MN 55331	Residence: Shorewood, MN	
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Full Name of joint invertible. Citizenship: Post-Office Address:	ntor number 27: Niranjan R. Samant United States of America 229 Ridgefield Drive Middletown, CT 06547	Residence: Middletown, CT	
Signature:	Niranjan R. Samant	Date:	
	ntor number 28: <u>Joseph F. Chiappetta</u> United States of America 6 Ranch Drive Trumbull, CT 06611	Residence: Trumbull, CT	
Signature:	Joseph F. Chiappetta	Date:	

Full Name of joint inver Citizenship: Post Office Address:	United States of America 13235 57th Avenue North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Scott Sarnikowski	Dete:	
Full Name of inventor: Citizenship: Post Office Address: Signature:		Residence:	
5		Date:	_
Eull Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	

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§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: COMMUNICATION SYSTEM WITH MULTICARRIER TELEPHONY TRANSPORT.

The specification of which was filed on June 28, 1996 as application serial no. 08/673,002 and was amended on September 24, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 10 attached hereto). I hereby claim foreign priority benefits under Title 35, United States Code, \$119/365 of any foreign application(s) for patent of 43

inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such applications have been filed.

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I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

No such applications have been filed.

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number	Filing Date	Status
08/311.964	September 26, 1994	Allowed
08/457,317	June 1, 1995	Pending
08/457.295	June 1, 1995	Pending
08/650,408	May 20, 1996	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael Bianchi, Timothy E. Billig, Patrick G. Billion, Richard E. Brennan, Thomas F. Burke, John E. Clark, Barbara J. Drvia, Michael A.	Reg. No. 24,916 Reg. No. 39,610 Reg. No. 38,080 Reg. No. 32,836 Reg. No. 35,075 Reg. No. 35,836 Reg. No. 38,107 Reg. No. 39,662	Embretson, Janet E. Fogg, David N. Forrest, Bradley A. Holloway, Sheryl S. Kalimowski, Leonard J. Klima-Silberg, Catherine I. Kluth, Daniel J Lemaire, Charles A.	Reg. No. 39,665 Reg. No. 35,138 Reg. No. 30,837 Reg. No. 37,850 Reg. No. 24,207 Reg. No. 40,052 Reg. No. 32,146 Reg. No. 36,198	Lempia, Bryan J. Litman, Mark A. Lundberg, Steven W. Schwegman, Micheal L. Slifer, Russell D. Viksnins, Ann S. Woessner, Warren D.	Reg. No. 39,746 Reg. No. 26,390 Reg. No. 30,568 Reg. No. 25,816 Reg. No. 37,748 Reg. No. 30,440
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I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/ firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

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Signature:		Date:	
īj	Michael J. Geile	Date.	· · · · · · · · · · · · · · · · · · ·
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Signature:	Terrance J. Hill	Dete:	
**************************************	Tellario J. Illii		
			-
Full Name of joint inver	ntor number 4: Harold A. Roberts		
Citizenship:	United States of America	Residence: Eden Prairie, MN	
Post Office Address:	7017 Beacon Circle		
	Eden Prairie, MN 55346		
Signature:		Date:	
- -	Harold A. Roberts		
			_

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

or number 5: Brian D. Anderson United States of America 11430 - 50th Place North Plymouth, MN 55442	Residence: Plymouth, MN	
Brian D. Anderson	Date:	
United States of America 8073 Curtis Lane	Residence: Edes Prairie, MN	
Jeffrey Brede	Date:	
or number 7: <u>Mark S. Wadman</u> United States of America 8956 Braxton Drive Eden Prairie, MN 55347	Residence: Eden Prairie, MN	
Mark S. Wadman	Date:	
tor number 8: Robert J. Kirscht United States of America 13106 Vernon Avenue South Savage, MN 55378	Residence: Savage, MN	
Robert J. Kirscht	Date:	
	United States of America 11430 - 50th Place North Plymouth, MN 55442 Brian D. Anderson or number 6: Jeffrey Brede United States of America 8073 Curtis Lane Eden Prairie, MN 55347 Jeffrey Brede or number 7: Mark S. Wadman United States of America 8956 Braxton Drive Eden Prairie, MN 55347 Mark S. Wadman or number 8: Robert J. Kirscht United States of America 13106 Vernon Avenue South Savage, MN 55378	United States of America 11430 - Soth Place North Plymouth, MN 55442 Date: Brian D. Anderson Or number 6: Jeffrey Brede United States of America 8073 Curtis Lane Eden Prairie, MN 55347 Date: Jeffrey Brede Or number 7: Mark S. Wadman United States of America 8956 Braxton Drive Eden Prairie, MN 55347 Date: Mark S. Wadman United States of America 8956 Braxton Drive Eden Prairie, MN 55347 Date: Mark S. Wadman Or number 8: Robert J. Kirscht United States of America 13106 Vernon Avenue South Savage, MN 55378 Date:

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Serial	No. 0	1/673	,00	2
	Date:			

Full Name of joint invento Citizenship: Post Office Address:	United States of America 1894 Sunrise Court Eagan, MN 55122	Residence: Eagan, MN	
Signature:	James J. Herrmann	Dete:	
Citizenship: Post Office Address:	r number 10: <u>Michael J. Fort</u> United States of America 1045 Northview Park	Residence: Eagan, MN	
Signature:	Eagan, MN 55123 Michael J. Fort	Date:	
Citizenship: Post Office Address:	United States of America 13370 Stanton Drive Minnetonka, MN 55305	Residence: Minnetonka, MN	
when the state of	Steven P. Buska	Date:	
Full Name of joint invento Citizenship: Post Office Address:	or number 12: Jeff Solum United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	Jeff Solum	Date:	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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	Date:	
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ski	Date:	
Thomas C. Tucker States of America or Creek Trail Sill, NC 27514	Residence: Chapel Hill, NC	
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	ki Thomas C. Tucker tates of America r Creek Trail	Date: Chomas C. Tucker Lates of America Residence: Chapel Hill, NC r Creek Trail lill, NC 27514 Date:

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Full Name of joint inver Citizenship: Post Office Address:	utor number 17: <u>Joe Hall</u> United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
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Citizenship: Post Office Address:	United States of America 4248 Hamline Avenue Arden Hills, MN 55112	Residence: Arden Hills, MN	_
Signature:	John M. Logajan	Date:	
Citizenship: Post Office Address:	united States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN Date:	
Signature:	Somvay Boualouang		
Full Name of joint inver Citizenship: Post Office Address:	untor number 20: Heng Lou United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	Heng Lou	Date:	
	rione roa	MILES - 10 - 10 - 10 - 10 - 10 - 10 - 10 - 1	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Citizenship: United States of America Residence: Elk River, MN	
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Signature: Date: Date:	
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Signature: Date: 1-21-7/	
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Signature:	/12Ch	
rgrame.	Mark D. Eipers	
ull Name of joint inven	tor number 22 : Matt Downs	
Citizenship: Post Office Address:	United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MIN
ignature:		Date:
	Matt Downs	- Vett.
itizenship:	tor number 23: Tammy Ferris United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN
itizenship: ost Office Address:	United States of America 4900 West 78th Street Bloomington, MN 55435	1-21-97
itizenship: ost Office Address:	United States of America 4900 West 78th Street	Residence: Bloomington, MN Date: 1-21-97
itizenship: ost Office Address: ignature:	United States of America 4900 West 78th Street Bloomington, MN 55435 Tammy Perris Tor number 24: Adam Opoczynski	Date: 1-21-97
itizenship: ost Office Address: ignature: ull Name of joint inventitizenship:	United States of America 4900 West 78th Street Bloomington, MN 55435 Tammy Ferris Tor number 24: Adam Opoczynski United States of America	1-21-97
tizenship: st Office Address: gnature: Il Name of joint inventizenship:	United States of America 4900 West 78th Street Bloomington, MN 55435 Tammy Ferris Tor number 24: Adam Opoczynski United States of America 3705 Roxbury Lane	Date: 1-21-97
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itizenship: ost Office Address: ignature:	United States of America 4900 West 78th Street Bloomington, MN 55435 Tammy Ferris Tor number 24: Adam Opoczynski United States of America 3705 Roxbury Lane	Date: 1-21-97

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 25: David S. Russell
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Signature: David S. Russell

David S. Russell

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Signature:		Date:	
	David S. Russell		
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Signature:		Date	
	Calvin G. Nelson	Date:	······································
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#*** #1**			
Full Name of joint inve	ntor number 27: Niranjan R. Samant		
Citizenship:	United States of America /wo.A	Residence: Middletown, CT	
Post Office Address:	229 Ridgefield Drive		
jan da Jan da	Middletown, CT 06547	4	
Signature:	Damant	Date: 1/23/97	
	Niranjan R. Samant	Date:	
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₹1 <u>4</u>			
Full Name of joint inves	ntor number 28: Joseph F. Chiappetta		
Citizenship:	United States of America	Residence: Trumbull, CT	
Post Office Address:	6 Ranch Drive		
	Trumbull, CT 06611		
Signature:	Joseph F Chappell	1/23/1-	7
Signature.	Joseph F. Chiappetta	Date:	<i></i>
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	of	

Citizenship: Post Office Address:	United States of America 13235 57th Avenue North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Scott Sarnikowski	Date:	
Full Name of inventor: Gitizenship: Post Office Address:		Residence:	_
Signature:		Date:	
Full Name of inventor: Critizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor:			
Citizenship: Post Office Address:		Residence:	
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Signature:		Date:	

THE REAL PROPERTY.

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§ 1.56 Duty to disclose information material to patentability.

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SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

United States Patent Application

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08/457.317	June 1, 1995	Pending
08/457,295	June 1, 1995	Pending
08/650 408	Mey 20 1996	Pending

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Bianchi, Timothy E.	Reg. No. 39,610	Fogg, David N.	Reg. No. 35,138	Litman, Mark A.	Reg. No. 26,390
Billig, Patrick G.	Reg. No. 38,080	Forrest, Bradley A.	Reg. No. 30,837	Lundberg, Steven W.	Reg. No. 30,568
Billion, Richard E.	Reg. No. 32,836	Holloway, Sheryi S.	Reg. No. 37,850	Schwegman, Micheal L.	Reg. No. 25,816
Brennan, Thomas F.	Reg. No. 35,075	Kalinowski, Leonard J.	Reg. No. 24,207	Slifer, Russell D.	Reg. No. 39,838
Burke, John E.	Reg. No. 35,836	Klima-Silberg, Catherine I.	Reg. No. 40,052	Viksnins, Ann S.	Reg. No. 37,748
Clark, Barbara J.	Reg. No. 38,107	Kluth, Deniel J.	Reg. No. 32,146	Woessner, Warren D	Reg. No. 30,440
Dryia, Michael A.	Reg. No. 39,662	Lemaire, Charles A.	Reg. No. 36,198	·	

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belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 1: Mark J. Dapper Residence: Cincinnati, OH United States of America Citizenship: 6558 Baywood Lane Post Office Address: Cincinnati, OH 45224 Date: Signature: Mark J. Dapper Full Name of joint inventor number 2: Michael J. Geile Residence: Loveland, OH United States of America Citizenship: 316 Miami Valley Drive Post Office Address: Loveland, OH 45140 Date: Signature: Michael J. Geile 13 Full Name of joint inventor number 3: Terrance J. Hill Residence: Fairfield, OH United States of America Citizenship: 1765 Garrett House Lane Post Office Address: Fairfield, OH 45014 Date: Signature: Terrance J. Hill ħ. Full Name of joint inventor number 4: Harold A. Roberts United States of America Residence: Eden Prairie, MN Citizenship: 7017 Beacon Circle Post Office Address: Eden Prairie, MN 55346 1/21/97 Date: Signature: Harold A. Roberts

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and

 $[\]underline{X}$ Additional inventors are being named on separately numbered sheets, attached hereto.

Full Name of joint invent	or number 5: Brian D. Anderson	
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Signature:	m K) (Men	Date: _//24/4/
	Brian D. Anderson	7 17
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	Savage, MN 55378	
O A		
Signature:	cet 4. Kusalis	Date: $\left(-z\right)$ -97
	Robert J. Kirscht	
•		

Full Name of joint inventor in Citizenship: Post Office Address:	umber 9: James J. Herrmann United States of America 1894 Sunrise Court Eagan, MN/55122	Residence: Eagan, MN
Signature: Ja	med J. Merrmann	Detc: <u>1/23/47</u>
Full Name of joint inventor n Citizenship: Post Office Address:	number 10: <u>Michael J. Fort</u> United States of America 1045 Northview Park	Residence: Eagan, MN
O'BHAND'.	Eagan, MN 55123 Lichael J. Fort	Dette: 1/22/97
Full Name of joint inventor n Citizenship: Post Office Address:	umber 11: Steven P. Buska United States of America 13370 Stanton Drive	Residence: Minnetonka, MN
Signature:	Minnetonka, MN 55305 Busha	Date: 1/22/97
Full Name of joint inventor no Citizenship:		Residence: Bloomington, MN
Post Office Address: Signature:	4900 West 78th Street Bloomington, MN 55435	Date:
X Additional inventors are be	ing named on separately numbered she	

Full Name of joint inventor number 13: Debra Lea Enfield

X Additional inventors are being named on separately numbered sheets, attached hereto.

Citizenship: Post Office Address:	United States of America 464 Ridge Court Chaska, MN 55318	Residence: Chaska, MN	
Signature:		Date:	
	Debra Lea Enfield		
	ntor number 14: Darrell Berg		
Citizenship: Post Office Address:	United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	Dauell E. Rug	Date: 1/12/97	
ing Pa	Darrell Berg	. / / /	
### Name of joint inver	ntor number 15: Thomas Smirelski		
Citizenship:	United States of America	Residence: Lake Zurich, IL	
Post Office Address:	230 Waterford Drive	100000000000000000000000000000000000000	
i i	Lake Zurich, IL 60047		
Signature:		Date:	
Harrist Constitution of the Constitution of th	Thomas Smigelski		
Full Name of joint inven	ntor number 16: Thomas C. Tucker		
Citizenship:	United States of America	Residence: Chapel Hill, NC	• •
Post Office Address:	205 Silver Creek Trail		
	Chapel Hill, NC 27514		
Signature:		Date:	_
	Thomas C. Tucker		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor Citizenship: Post Office Address:	number 17: Joe Hall United States of America 4900 West 78th Street Blogmington, MN 55435	Residence: Bloomington, MN
Signature:	De 4-M oe Hall	Dete: 1/21/47
Full Name of joint inventor Citizenship: Post Office Address:	number 18: John M. Logajan United States of America 4248 Hamline Avenue	Residence: Arden Hills, MN
Signature:	Arden Hills, MN 55112	
Full Name of joint inventor Citizenship: Post Office Address:	number 19: Somvay Boualouang United States of America 4900 West 78th Street	Residence: Bloomington, MN
Signature:	Bloomington, MN 55435 Somvey Condon Somvey Boualoung	Date: 1/21/97
Full Name of joint inventor Citizenship: Post Office Address:	number 20: Heng Lou United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN
Signature:	leng fou	Date: 1/22/97

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inve	entor number 21: Mark D. Elpers		
Citizenship:	United States of America	Residence: Elk River, MN	
Post Office Address:	16303 205th Avenue NW		
	Elk River, MN 55330		
Signature:		Date:	
	Mark D. Elpers		
Full Name of joint inve	intor number 22 : Matt Downs		
Citizenship:	United States of America	Residence: Bloomington, MN	
Post Office Address:	4900 West 78th Street		
स्थित्वी स्थानम् सन्दर्भ	Bloomington, MN 55435		
2 1975			
Signature:	Man Davina	Date:	
	Matt Downs		
₩# .			-
•	ntor number 23 : Tammy Ferris		
Citizenship:	United States of America	Residence: Bloomington, MN	
Post Office Address:	4900 West 78th Street		
100 p	Bloomington, MN 55435		
Section of the sectio			
Signature:		Date:	
in Se	Tammy Ferris		
20 at 1			
in the second			
	ntor number 24: Adam Opoczynski		
Citizenship:	United States of America	Residence: Plano, TX	
Post Office Address:	3705 Roxbury Lane		
	Plano, TX 75025		
Signature:		Date:	
,	Adam Opoczynski		
			_
30 4 5 55 5 6 5			

Citizenship:
Post Office Address:

Signature:

belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 25: David S. Russell Residence: Minneapolis, MN United States of America Citizenship: 5145 Luverne Avenue Post Office Address: Minneapolis, MN 55419 January 22, 187 Signature: David S. Russell Full Name of joint inventor number 26: Calvin G. Nelson Residence: Shorewood, MN United States of America Citizenship: 26190 Birch Bluff Road Post Office Address: Shorewood, MN 55331 Signature: Date: Calvin G. Nelson 13 Full Name of joint inventor number 27: Niranian R. Samant Residence: Middletown, CT United States of America Citizenship: Post Office Address: 229 Ridgefield Drive Middletown, CT 06547 Į.i. Signature: Date: Niranjan R. Samant T1 1 Full Name of joint inventor number 28: Joseph F. Chiappetta

Residence: Trumbull, CT

Date:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and

United States of America

6 Ranch Drive Trumbull, CT 06611

Joseph F. Chiappetta

X Additional inventors are being named on separately numbered sheets, attached hereto.

Full Name of joint inver Citizenship: Post Office Address:	United States of America 13235 57th Avenue North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Scott Sarnikowski	Date:	
Full Name of inventor.	C		
Citizenship: ©ost Office Address:		Residence:	
Signature:		Date:	
25 CAL			
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	_
Signature:		Date:	

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§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by \$\frac{5}{2}\$ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced o attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>COMMUNICATION SYSTEM WITH MULTICARRIER TELEPHONY TRANSPORT</u>.

The specification of which was filed on June 28, 1996 as application serial no. 08/673,002 and was amended on September 24, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 10 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, \$119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such applications have been filed.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

No such applications have been filed.

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

1 1 102 m		
Application Number	Filing Date	Status
08/311,964	September 26, 1994	Allowed
08/457,317	June 1, 1995	Pending
08/457,295	June 1, 1995	Pending
08/650,408	May 20, 1996	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael Bianchi, Timothy E. Billig, Patrick G. Billin, Richard E. Brennan, Thomas F. Burke, John E. Clark, Barbara J. Dryja, Michael A.	Reg. No. 24,916 Reg. No. 39,610 Reg. No. 38,080 Reg. No. 32,836 Reg. No. 35,075 Reg. No. 35,836 Reg. No. 38,107 Reg. No. 39,662	Embresson, Janet E. Fogg, David N. Forrest, Bradley A. Hollowsky, Sheryl S. Kalinowski, Leonard J. Klima-Silberg, Catherine I. Kluth, Daniel J. Lemaire, Charles A.	Reg. No. 39,665 Reg. No. 35,138 Reg. No. 30,837 Reg. No. 37,850 Reg. No. 24,207 Reg. No. 40,052 Reg. No. 32,146 Reg. No. 36,198	Lempia, Bryan J. Liman, Mark A. Lundberg, Steven W. Schwegman, Micheal L. Slifer, Russell D. Viksnins, Ann S. Woessner, Warren D.	Reg. No. 39,746 Reg. No. 26,390 Reg. No. 30,568 Reg. No. 25,816 Reg. No. 39,838 Reg. No. 37,748 Reg. No. 30,440
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I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below: P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)339-0331

Post Office Address:

Signature:

belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 1: Mark J. Dapper United States of America Residence: Cincinnati, OH Citizenship: 6558 Baywood Lane Post Office Address: Cincinnati, OH 45224 Date: Signature: Mark J. Dapper Full Name of joint inventor number 2: Michael J. Geile United States of America Residence: Loveland, OH Citizenship: Post Office Address: 316 Miami Valley Drive Loveland, OH 45140 Date: Signature: Michael J. Geile T, £.; Full Name of joint inventor number 3: Terrance J. Hill United States of America Residence: Fairfield, OH Citizenship: 1765 Garrett House Lane Post Office Address: Fairfield, OH 45014 -Date: Signature: Terrance J. Hill N Full Name of joint inventor number 4: Harold A. Roberts United States of America Residence: Eden Prairie, MN Citizenship: 7017 Beacon Circle

Date:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and

X Additional inventors are being named on separately numbered sheets, attached hereto.

Harold A. Roberts

Eden Prairie, MN 55346

Our R	ef. 5(30.623	USI	l
Serial	No.	08/673	,002	ł
Filing	Date	June	28,	1996

Full Name of joint inver Citizenship: Post Office Address:	ntor number 5: Brian D. Anderson United States of America 11430 - 50th Place North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Brian D. Anderson	Date:	
	Disa. D. Assessor		
Full Name of joint inver	ntor number 6: Jeffrey Brede		
Cizizenship:	United States of America	Residence: Edea Prairie, MN	
Post Office Address:	8073 Curtis Lane		
	Eden Prairie, MN 55347		
Signature:		Date:	
	Jeffrey Brede		
Fall Name of joint inver			
Citizenship:	United States of America	Residence: Eden Prairie, MN	
Post Office Address:	8956 Braxton Drive		
Policy Control of the	Eden Prairie, MN 55347		
Signature:		Date:	
j. i.	Mark S. Wadman		
The state of the s			
tad Fig.			
Full Name of joint inven	itor number 8: Robert J. Kirscht		
Citizenship:	United States of America	Residence: Savage, MN	
Post Office Address:	13106 Vernon Avenue South		
	Savage, MN 55378		
Signature:		Date:	
-	Robert J. Kirscht		
X Additional inventors a	are being named on separately numbered shee	ets, attached hereto.	

Full Name of joint inventor Citizenship: Post Office Address:	number 9: James J. Herrmann United States of America 1894 Sunrise Court Eagan, MN 55122	Residence: Eagan, MN	
Signature:	James J. Herrmann	Date:	
Citizenship: Post Office Address:	number 10: Michael J. Fort United States of America 1045 Northview Park Eagan, MN 55123	Residence: Eagan, MN	
Signature:		Date:	
Signature:	Michael J. Fort		
1	number 11: Steven P. Buska		
Citizenship: Post Office Address:	United States of America 13370 Stanton Drive Minnetonka, MN 55305	Residence: Minnetonka, MN	
		Date:	
	Steven P. Buska		
	t to Tate Column		
	number 12: Jeff Solum United States of America	Residence: Bloomington, MN	
Citizenship: Post Office Address:	4900 West 78th Street Bloomington, MN 55435		
Cianabana.		Date:	
Signature:	Jeff Solum		

Page 5 of 10

Citizenship: Post Office Address:	United States of America 464 Ridge Court Chaska, MN 55318	Residence: Chaska, MN
ignature:	ebra Lea Enfield	Dets:
×	number 14: <u>Darrell Berg</u> United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bioomington, MN
ignature:	arrell Berg	Date:
Citizenship: ost Office Address:	umber 15: Thomas Smigelski United States of America 230 Waterford Drive 1.ake Zurich, IL 60047 Domitted States of America 230 Waterford Drive 1.ake Zurich, IL 60047	Residence: Lake Zurich, IL Daic: 1/29/96
ill Name of joint inventor n tizenship: ost Office Address:	umber 16: Thomas C. Tucker United States of America 205 Silver Creek Trail Chapel Hill, NC 27514	Residence: Chapel Hill, NC
ignature:	nomas C. Tucker	Datc:

Our R	ef. 50	0.623	USI	
Serial	No. 0	8 /673	,002	?
Filing	Date.	June	28,	1996

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Full Name of joint inve Citizenship: Post Office Address:	entor number 17: <u>Joe Hall</u> United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	Joe Hall	Date:	
Citizenship: Post Office Address:	ntor number 18: John M. Logaian United States of America 4248 Hamline Avenue Arden Hills, MN 55112	Residence: Arden Hills, MN	-
Signature:	John M. Logajan	Date:	
2	ntor number 19: Somyay Boualouang United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	Somvay Bouaiouang	Date:	
121 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	ntor number 20: Heng Lou United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	-
Signature:	Heng Lou	Date:	
			-

Citizenship:

Signature:

Post Office Address:

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 21: Mark D. Elpers **United States of America** Citizenship: Residence: Elk River, MN Post Office Address: 16303 205th Avenue NW Elk River, MN 55330 Signature: Date: Mark D. Elpers Full Name of joint inventor number 22: Matt Downs Citizenship: United States of America Residence: Bloomington, MN Post Office Address: 4900 West 78th Street Bloomington, MN 55435 Signature: Date: Matt Downs ļuš, Full Name of joint inventor number 23: Tammy Ferris Citizenship: United States of America Residence: Bloomington, MN Post Office Address: 4900 West 78th Street Bloomington, MN 55435 **j**=# Signature: Date: Tammy Ferris ħj Full Name of joint inventor number 24: Adam Opoczynski

Residence: Plano, TX

Date:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so

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United States of America

3705 Roxbury Lane Plano, TX 75025 I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inve Citizenship: Post Office Address:	ntor number 25: <u>David S. Russell</u> United States of America 5145 Luverne Avenue Minneapolis, MN 55419	Residence: Minneapolis, MN	
Signature:	David S. Russell	Date:	
Citizenship: Post Office Address:	ntor number 26: <u>Calvin G. Nelson</u> United States of America 26190 Birch Bluff Road Shorewood, MN'55331	Residence: Shorewood, MN	
Signature:	Calvin G. Nelson	Date:	
Fall Name of joint inver Citizenship: Post Office Address:	ntor number 27: Niranjan R. Samant United States of America 229 Ridgefield Drive Middletown, CT 06547	Residence: Middletown, CT	
Signature:	Niranjan R. Samant	Date:	
Full Name of joint inver Citizenship: Post Office Address:	United States of America 6 Ranch Drive Trumbull, CT 06611	Residence: Trumbull, CT	
Signature:	Joseph F. Chiappetta	Date:	

Full Name of joint inven Citizenship: Post Office Address:	tor number 29: Scott Sarnikowski United States of America 13235 57th Avenue North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Scott Sarnikowski	Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	

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 - (2) Each attorney or agent who prepares or prosecutes the application; and
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SCHWEGMAN, LUNDBERG, WOESSNER & KLU'1H, P.A.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

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Application Number	Filing Date	<u>Status</u>
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08/457,317	June 1, 1995	Pending
08/457,295	June 1, 1995	Pending
08/650,408	May 20, 1996	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Embretson, Janet E.	Reg. No 39,665	Lempia, Bryan J.	Reg. No. 39,746
Bianchi, Timothy E.	Reg. No. 39,610	Fogg, David N.	Reg. No. 35,138	Litman, Mark A.	Reg. No. 26,390
Billig, Patrick G.	Reg. No. 38,080	Forrest, Bradley A.	Reg. No. 30,837	Lundberg, Steven W	Reg. No. 30,568
Billion, Richard E.	Reg. No. 32,836	Holloway, Sheryl S	Reg. No. 37,850	Schwegman, Micheal L.	Reg. No. 25,816
Brennan, Thomas F.	Reg. No. 35,075	Kalinowski, Leonard J	Reg. No. 24,207	Slifer, Russell D.	Reg No. 39,838
Burke, John E.	Reg. No. 35,836	Klima-Silberg, Catherine I.	Reg. No. 40,052	Viksnins, Ann S.	Reg. No. 37,748
Clark, Barbara J.	Reg. No. 38,107	Kluth, Daniel J	Reg. No. 32,146	Woessner, Warren D.	Reg. No. 30,440
Drvia Michael A	Reg. No. 39,662	Lemaire, Charles A.	Reg. No. 36,198		-

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402 Telephone No. (612)339-0331 I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Citizenship: Post Office Address:	United States of America 6558 Baywood Lane Cincinnati, OH 45224	Residence: Cincinnati, OH	,
Signature:	Mark J. Dapper	Date:	
Full Name of joint inve Citizenship: Post Office Address:	ntor number 2: Michael J. Geile United States of America 316 Miami Valley Drive Loveland, OH 45140	Residence: Loveland, OH	_
Signature:	Michael J. Geile	Date:	
Full Name of joint inve Citizenship: Post Office Address:	ntor number 3: Terrance J. Hill United States of America 1765 Garrett House Lane Fairfield, OH 45014	Residence: Fairfield, OH	
Signature:	Terrance J. Hill	Date:	
Fill Name of joint invertible. Citizenship: Post Office Address:	ntor number 4: Harold A. Roberts United States of America 7017 Beacon Circle Eden Prairie, MN 55346	Residence: Eden Prairie, MN	-
Signature:	Harold A. Roberts	Date:	
			-

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Full Name of joint inven Citizenship: Post Office Address:	tor number 5: Brian D, Anderson United States of America 11430 - 50th Place North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Brian D. Anderson	Date:	
Full Name of joint inven Citizenship: Post Office Address:	tor number 6: <u>Jeffrey Brede</u> United States of America 8073 Curtis Lane Eden Prairie, MN 55347	Residence: Eden Prairie, MN	
Signature:	Jeffrey Brede	Date:	
Full Name of joint inven Citizenship: Post Office Address:	tor number 7: Mark S. Wadman United States of America 8956 Braxton Drive Eden Prairie, MN 55347	Residence: Eden Prairie, MN Date:	
	Mark S. Wadman		
Full Name of joint inven Citizenship: Post Office Address:	tor number 8: Robert J. Kirscht United States of America 13106 Vernon Avenue South Savage, MN 55378	Residence: Savage, MN	
Signature:	Robert J. Kirscht	Date:	
			

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Citizenship: Post Office Address:	or number 9: James J. Herrmann United States of America 1894 Sunrise Court Eagan, MN 55122	Residence: Eagan, MN	
Signature:		Date:	
	James J. Herrmann		
Citizenship: Post Office Address:	or number 10: Michael J. Fort United States of America 1045 Northview Park Eagan, MN 55123	Residence: Eagan, MN	
	,	Dans	
Signature:	Michael J. Fort	Date:	A
Citizenship: Post Office Address:	United States of America 13370 Stanton Drive Minnetonka, MN 55305	Residence: Minnetonka, MN	
Signature:	Steven P. Buska	Date:	
202 1	or number 12: Jeff Solum		
Citizenship: Post Office Address:	United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:		Date:	

Signature:

belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 13: - Debra Lea Enfield Residence: Chaska, MN United States of America Citizenship: 464 Ridge Court Post Office Address: Chaska, MN 55318 Date: Signature: Debra Lea Enfield Full Name of joint inventor number 14: Darrell Berg United States of America Residence: Bloomington, MN Citizenship: 4900 West 78th Street Post Office Address: Bloomington, MN 55435 Į, ii, Date: Signature: Darrell Berg Full Name of joint inventor number 15: Thomas Smigelski Residence: Lake Zurich, IL United States of America Citizenship: 230 Waterford Drive Post Office Address: Lake Zurich, IL 60047 Date: Signature: Thomas Smigelski 1.5 ļu ds Full Name of joint inventor number 16: Thomas C. Tucker Residence: Chapel Hill, NC United States of America Citizenship: 205 Silver Creek Trail Post Office Address: Chapel Hill, NC 27514

Date:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and

X Additional inventors are being named on separately numbered sheets, attached hereto.

Thomas C. Tucker

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inver Citizenship: Post Office Address:	United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	Joe Hali	Date:	
			_
Full Name of joint inver Citizenship: Post Office Address:	tor number 18: John M. Logajan United States of America 4248 Hamline Avenue Arden Hills, MN 55112	Residence: Arden Hills, MN	
Signature:		Date:	
Full Name of joint inver Citizenship: Post Office Address:	John M. Logajan ntor number 19: Somvay Boualouang United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	-
garant.		Date:	
Signature:	Somvay Boualouang	Date.	_
Full Name of joint invertible Citizenship: Post Office Address:	united States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:		Date:	
	Heng Lou		
			

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Full Name of joint inver	tor number 21: Mark D. Elpers		
Citizenship:	United States of America	Residence: Elk River, MN	
Post Office Address:	16303 205th Avenue NW		
	Elk River, MN 55330		
		Date:	
Signature:	Mark D. Elpers	Date.	
	max D. Diporo		
Full Name of joint inver	ntor number 22: Matt Downs		
Citizenship:	United States of America	Residence: Bloomington, MN	
Post Office Address:	4900 West 78th Street		
į.	Bloomington, MN 55435		
200 km, 100 km		Dates	
Signature:	M. D	Date:	
The second secon	Matt Downs		
	Tomas Foreign		
	ntor number 23: <u>Tammy Ferris</u> United States of America	Residence: Bloomington, MN	
Citizenship:	4900 West 78th Street	Residence. Discinington, MI	
Post Office Address:	Bloomington, MN 55435		
September 1975	Bloomington, win 55455		
Signature:		Date:	
	Tammy Ferris		
\$ 13. \$ 13.	,		
IST THE STATE OF T			
Full:Name of joint inver	ntor number 24: Adam Opoczynski		
Citizenship:	United States of America	Residence: Plano, TX	
Post Office Address:	3705 Roxbury Lane		
	Plano, TX 75025		
Signature:		Date:	
	Adam Opoczynski		

Citizenship:

Signature:

Post Office Address:

belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 25: David S. Russell United States of America Residence: Minneapolis, MN 5145 Luverne Avenue Post Office Address: Minneapolis, MN 55419 Date: Signature: David S. Russell Full Name of joint inventor number 26: Calvin G. Nelson Residence: Shorewood, MN Citizenship: **United States of America** Post Office Address: 26190 Birch Bluff Road Shorewood, MN 55331 Signature: Date: Calvin G. Nelson Full Name of joint inventor number 27: Niranjan R. Samant Residence: Middletown, CT United States of America Citizenship: 229 Ridgefield Drive Post Office Address: Middletown, CT 06547 Signature: Date: Niranjan R. Samant

Residence: Trumbull, CT

Date:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and

X Additional inventors are being named on separately numbered sheets, attached hereto.

United States of America

6 Ranch Drive

Joseph F. Chiappetta

Trumbull, CT 06611

Full-Name of joint inventor number 28: Joseph F. Chiappetta

Full Name of joint inventional Citizenship: Post Office Address:	United States of America 13235 57th Avenue North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Scott Samikowski	Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	

#

§ 1.56 Duty to disclose information material to patentability.

- A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - ALL AND THE the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and MI La
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - Asserting an argument of patentability. (ii)

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- Individuals associated with the filing or prosecution of a patent application within the meaning of this section are: (c)
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, (d) agent, or inventor.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **COMMUNICATION SYSTEM WITH MULTICARRIER TELEPHONY TRANSPORT**.

The specification of which was filed on June 28, 1996 as application serial no. 08/673,002 and was amended on September 24, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 10 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, \$119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such applications have been filed.

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I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

No such applications have been filed.

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number	Filing Date	Status
08/311.964	September 26, 1994	Allowed
08/457.317	June 1, 1995	Pending
08/457,295	June 1, 1995	Pending
08/650.408	May 20, 1996	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Embretson, Janet E.	Reg. No. 39,665	Lempia, Bryan J.	Reg. No. 39,746
Bianchi, Timothy E.	Reg. No. 39,610	Fogg, David N.	Reg. No. 35,138	Litman, Mark A.	Reg. No. 26,390
Billig, Patrick G.	Reg. No. 38,080	Forrest, Bradley A.	Reg. No. 30,837	Lundberg, Steven W.	Reg. No. 30,568
	Reg. No. 32,836	Holloway, Sheryl S.	Reg. No 37,850	Schwegman, Micheal L.	Reg. No. 25,816
Billion, Richard E.		Kalinowski, Leonard J.	Reg. No. 24,207	Slifer, Russell D.	Reg. No. 39,838
Brennan, Thomas F.	Reg. No. 35,075		Reg. No. 40,052	Viksnins, Ann S.	Reg. No. 37,748
Burke, John E.	Reg. No. 35,836	Klima-Silberg, Catherine I.			•
Clark, Barbara J.	Reg. No. 38,107	Kluth, Daniel J.	Reg. No. 32,146	Woessner, Warren D.	Reg. No. 30,440
Drvia Michael A	Peg No 39 662	Lemaire, Charles A.	Reg. No. 36,198		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below: P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)339-0331

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Citizenship: Post Office Address:	or number 1: · <u>Mark J. Dapper</u> United States of America 6558 Baywood Lane Cincinnati, OH 45224	Residence: Cincinnati, OH	
Signature:	Mark J. Dapper	Date:	
Full Name of joint invent Citizenship: Post Office Address:	United States of America 316 Miami Valley Drive	Residence: Loveland, OH	
Signature:	Loveland, OH 45140	Date:	
Transfer and the second	Michael J. Geile		
Full Name of joint invent Citizenship: Post Office Address:	tor number 3: Terrance J. Hill United States of America 1765 Garrett House Lane Fairfield, OH 45014	Residence: Fairfield, OH	
Signature:	Terrance J. Hill	Date:	
Full Name of joint invent Cifizenship: Post Office Address:	tor number 4: Harold A. Roberts United States of America 7017 Beacon Circle Eden Prairie, MN 55346	Residence: Eden Prairie, MN	
Signature:	Harold A. Roberts	Date:	

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Anderson 6: Jeffrey Brede United States of America 1073 Curtis Lane Eden Prairie, MN 55347	Residence: Eden Prairie, MN Date:	
United States of America 1073 Curtis Lane Eden Prairie, MN 55347		
	Detai	
Brede	Date.	
United States of America 1956 Braxton Drive	Residence: Eden Prairie, MN Date:	
Wadman		
United States of America 13106 Vernon Avenue South	Residence: Savage, MN	
J. Kirscht	Date:	
	r 7: Mark S. Wadman United States of America 1956 Braxton Drive Eden Prairie, MN 55347 Wadman	To 7: Mark S. Wadman United States of America Residence: Eden Prairie, MN 1956 Braxton Drive Eden Prairie, MN 55347 Date: Wadman To 8: Robert J. Kirscht United States of America 13106 Vernon Avenue South Savage, MN 55378 Date:

Full Name of joint invent Citizenship: Post Office Address:	tor number 9: · James J. Herrmann United States of America 1894 Sunrise Court Eagan, MN 55122	Residence: Eagan, MN	
Signature:	James J. Herrmann	Date:	
	James J. Herrinaan		
Full Name of joint inven	tor number 10: Michael J. Fort		
Citizenship:	United States of America	Residence: Eagan, MN	
Post Office Address:	1045 Northview Park		
***	Eagan, MN 55123		
151 157 161 115			
Signature:		Date:	
	Michael J. Fort		
1.1			
7.7			
Full Name of joint inven	tor number 11: Steven P. Buska		
Citizenship:	United States of America	Residence: Minnetonka, MN	
Post Office Address:	13370 Stanton Drive		
#	Minnetonka, MN 55305		
200 00% 5 0 0 0 5 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0			
Signature:	, , , , , , , , , , , , , , , , , , , 	Date:	
100	Steven P. Buska		
\$ - 3 - 3 - 3 - 3 - 3 - 3 - 3 - 3 - 3 -			-
Full Name of joint inven	tor number 12: <u>Jeff Solum</u>		
Citizenship:	United States of America	Residence: Bloomington, MN	
Post Office Address:	4900 West 78th Street		•
	Bloomington, MN 55435		
Signature:		Date:	
•	Jeff Solum		
			-
X Additional inventors a	are being named on separately numbered she	ets, attached hereto.	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inver	ntor number 13: - Debra Lea Enfield		
Citizenship:	United States of America	Residence: Chaska, MN	
Post Office Address:	464 Ridge Court		
1 051 011100 1100000	Chaska, MN 55318		
	·		
Signature:		Date:	
	Debra Lea Enfield		
Full Name of joint inve	ntor number 14: Darrell Berg		
Citizenship:	United States of America	Residence: Bloomington, MN	
Post Office Address:	4900 West 78th Street		
	Bloomington, MN 55435		
gard a rem, gard a			
Signature:		Date:	
	Darrell Berg		
10 10 10 10 10 10 10 10 10 10 10 10 10 1	<u> </u>		
Full Name of joint inve	ntor number 15: Thomas Smigelski		
Citizenship: United States of America		Residence: Lake Zurich, IL	
Post Office Address:	230 Waterford Drive		
3	Lake Zurich, IL 60047		
	,		
Signature:		Date:	·
į.i.	Thomas Smigelski		
grafia Grafia	•		
कुत व्य वृद्ध			•
	entor number 16: Thomas C. Tucker		
Citizenship:	United States of America	Residence: Chapel Hill, NC	
Post Office Address:	205 Silver Creek Trail		
1001 011100 1100 000	Chapel Hill, NC 27514		
Signature:		Date:	
	Thomas C. Tucker		
			_
			•

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Full Name of joint inver Citizenship: Post Office Address:	united States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	Joe Hall	Date:	
Full Name of joint invertications of the control of	ntor number 18: John M. Logajan United States of America 4248 Hamline Avenue Arden Hills, MN 55112	Residence: Arden Hills, MN	-
Signature:	John M. Logajan	Date:	_
Cifizenship: Post Office Address:	united States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	Somvay Boualouang	Date:	_
Full Name of joint inve Citizenship: Post Office Address:	ntor number 20: Heng Lou United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	Heng Lou	Date:	
			-

Signature:

belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 21: Mark D. Elpers Residence: Elk River, MN United States of America Citizenship: 16303 205th Avenue NW Post Office Address: Elk River, MN 55330 Date: Signature: Mark D. Elpers Full Name of joint inventor number 22: Matt Downs Residence: Bloomington, MN United States of America Citizenship: 4900 West 78th Street Post Office Address: Bloomington, MN 55435 44 -Date: Signature: Matt Downs Full Name of joint inventor number 23: Tammy Ferris Residence: Bloomington, MN **United States of America** Citizenship: 4900 West 78th Street Post Office Address: Bloomington, MN 55435 Date: Signature: Tammy Ferris ķė j. Full Name of joint inventor number 24: Adam Opoczynski Residence: Plano, TX United States of America Citizenship: 3705 Roxbury Lane Post Office Address: Plano, TX 75025

Date:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and

X Additional inventors are being named on separately numbered sheets, attached hereto.

Adam Opoczynski

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inven Citizenship: Post Office Address:	tor number 25: - <u>David S. Russell</u> United States of America 5145 Luverne Avenue Minneapolis, MN 55419	Residence: Minneapolis, MN	
Signature:		Date:	
	David S. Russell		
Full Name of joint inven	tor number 26: Calvin G. Nelson		
Citizenship:	United States of America	Residence: Shorewood, MN	
Post Office Address:	26190 Birch Bluff Road		
	Shorewood, MN 55331		
452 to			
Signature:		Date:	
	Calvin G. Nelson		
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			
20.00			
Full Name of joint inven	tor number 27: Niranjan R. Samant		
Citizenship:	United States of America	Residence: Middletown, CT	
Post-Office Address:	229 Ridgefield Drive	,	
FOSI-Office Address.	Middletown, CT 06547		
· ·	Middletown, C1 00547		
		Date:	
Signature:	>**	Date.	
With A state of the state of th	Niranjan R. Samant		
# 27 # 24 # 24 # 24 # 24 # 24 # 24 # 24 # 24			-
appen in the second sec			
Full Name of joint inven	tor number 28: Joseph F. Chiappetta		
Citizenship:	United States of America	Residence: Trumbull, CT	
Post Office Address:	6 Ranch Drive		
	Trumbull, CT 06611		
Signature:		Date:	
	Joseph F. Chiappetta		
			industria

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 29: Scott Sarnikowski
Citizenship:

United States of America
Residence: Plymouth, MPJ SAN JOSE, CA SAN JOSE, CA

Post Office Address:	13235 57th Avenue North Plymouth, MN 55412	SAN JOSE, CA 95138	•
Signature:	Scott Samikowski	Date:	22/97
Full Name of inventor: Citizenship: Póst Office Address:		Residence:	
Post Office Address: Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	,
Signature:		Date:	

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§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **COMMUNICATION SYSTEM WITH MULTICARRIER TELEPHONY TRANSPORT**.

The specification of which was filed on June 28, 1996 as application serial no. 08/673,002 and was amended on September 24, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 10 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, \$119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such applications have been filed.

ij.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

No such applications have been filed.

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national on PCT international filing date of this application.

2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		
Application Number	Filing Date	Status
08/311,964	September 26, 1994	Allowed
08/457,317	June 1, 1995	Pending
08/457,295	June 1, 1995	Pending
08/650,408	May 20, 1996	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Embretson, Janet E.	Reg. No. 39,665	Lempia, Bryan J.	Reg. No. 39,746
Bianchi, Timothy E.	Reg. No. 39,610	Fogg, David N.	Reg. No 35,138	Litman, Mark A	Reg. No. 26,390
Billig, Patrick G.	Reg. No. 38,080	Forrest, Bradley A.	Reg. No. 30,837	Lundberg, Steven W.	Reg. No. 30,568
Billion, Richard E.	Reg. No. 32,836	Holloway, Sheryl S.	Reg. No. 37,850	Schwegman, Micheal L.	Reg. No. 25,816
Brennan, Thomas F.	Reg. No. 35,075	Kalinowski, Leonard J.	Reg. No. 24,207	Slifer, Russell D.	Reg. No. 39,838
Burke, John E.	Reg. No. 35,836	Klima-Silberg, Catherine I.	Reg. No. 40,052	Viksnins, Ann S.	Reg. No. 37,748
Clark, Barbara J.	Reg. No. 38,107	Kluth, Daniel J.	Reg. No. 32,146	Woessner, Warren D.	Reg. No. 30,440
Dryia, Michael A.	Reg. No. 39,662	Lemaire, Charles A.	Reg No 36 198		106.110.50,440

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below: P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)339-0331

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Full Name of joint invent Citizenship: Post Office Address:	or number 2: Michael J. Geile United States of America 316 Miami Valley Drive Loveland, OH 45140	Residence: Loveland, OH	
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	Harold A. Roberts		

 $[\]underline{X}$ Additional inventors are being named on separately numbered sheets, attached hereto.

Signature:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 5: - Brian D. Anderson United States of America Residence: Plymouth, MN Citizenship: 11430 - 50th Place North Post Office Address: Plymouth, MN 55442 Date: Signature: Brian D. Anderson Full Name of joint inventor number 6: Jeffrey Brede **United States of America** Residence: Eden Prairie, MN Citizenship: 8073 Curtis Lane Post Office Address: Eden Prairie, MN 55347 L.L £.5 Date: Signature: Jeffrey Brede 12 Ų. Full Name of joint inventor number 7: Mark S. Wadman United States of America Residence: Eden Prairie, MN Citizenship: 8956 Braxton Drive Post Office Address: Eden Prairie, MN 55347 Date: Signature: Mark S. Wadman i i ļ.ā Full Name of joint inventor number 8: Robert J. Kirscht Residence: Savage, MN **United States of America** Citizenship: 13106 Vernon Avenue South Post Office Address: Savage, MN 55378 Date:

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Robert J. Kirscht

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	Steven P. Buska		
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Citizenship:	United States of America	Residence: Chapel Hill, NC
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X Additional inventors ar	e being named on separately numbered sheets	s, attached hereto.

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Signature:		Date:	
	Heng Lou		
X Additional inventors ar	e being named on separately numbered shee	ets, attached hereto.	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inver Citizenship: Post Office Address:	ntor number 21: • Mark D. Elpers United States of America 16303 205th Avenue NW Elk River, MN 55330	Residence: Elk River, MN	
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	Mark D. Dipois		_
Full Name of joint inver Citizenship: Post Office Address:	united States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:		Date:	
	Matt Downs		_
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	Tammy Ferris		_
and the second			
ruli Name of joint inver Citizenship:	ntor number 24: Adam Opoczynski United States of America	Residence: Plano, TX	
Post Office Address:	3705 Roxbury Lane	Residence. Hano, 1A	
2 000 0 1100 1100	Plano, TX 75025		
Signature:		Date:	
	Adam Opoczynski		
			

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 25: 'David S. Russell United States of America Residence: Minneapolis, MN Citizenship: Post Office Address: 5145 Luverne Avenue Minneapolis, MN 55419 Signature: Date: David S. Russell Full Name of joint inventor number 26: Calvin G. Nelson United States of America Residence: Shorewood, MIN Citizenship: 26190 Birch Bluff Road Post Office Address: 44 Shorewood, MN 55331 Signature: Date: Calvin G. Nelson Ų Full Name of joint inventor number 27: Niranian R. Samant United States of America Residence: Middletown, CT Citizenship: Post Office Address: 229 Ridgefield Drive Middletown, CT 06547 44 Date: Signature: Niranjan R. Samant į.s . --Full Name of joint inventor number 28: Joseph F. Chiappetta Citizenship: **United States of America** Residence: Trumbull, CT Post Office Address: 6 Ranch Drive Trumbull, CT 06611 Signature: Date:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so

 \underline{X} Additional inventors are being named on separately numbered sheets, attached hereto.

Joseph F. Chiappetta

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Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	

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§ 1.56 Duty to disclose information material to patentability.

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